

ORIGINAL

MEMO ENDORSED

June 24, 2024

Via CM/ECF

Hon. Louis L. Stanton
U.S. Magistrate Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl St.
New York, NY 10007-1312

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/24/24

Re: USG v. Ectek International, Inc.

Court No. 1:23-cv-03459

Dear Judge Stanton:

Consistent with Your Honor's Individual Practices and S.D.N.Y. Local Rule 37.2, United States Gypsum Company ("USG") requests an extension of one week, or until July 1, 2024, to respond to Ectek International, Inc.'s counterclaim.

Due to delays in Hague Convention service, outside of any parties' control, Ectek International, Inc.'s answer and counterclaim were filed on June 3, 2024. Ectek International, Inc.'s counterclaim alleges violations of the Lanham Act and tortious interference with contract.

Under Federal Rules of Civil Procedure Rule 12, a party must answer a counterclaim within 21 days after being served. Here, under Rule 12, USG has until June 24, 2024, to answer Ectek International, Inc.'s counterclaim. Due to unforeseen circumstances, USG requests an extension of one week, or until July 1, 2024, to respond to Ectek International, Inc.'s counterclaim.

This request is not for dilatory purpose or delay, but rather it is for good cause. This is the second time the parties have requested an extension of time and both parties consent to the extension. No deadlines on the Amended Scheduling Order or pre-trial deadlines will be affected by this reasonable extension of time.

Accordingly, USG respectfully requests that the Court enter an order granting USG to respond to Ectek International, Inc.'s counterclaim on or by June 1, 2024. We thank Your Honor for the Court's time and consideration on this letter.

Respectfully submitted,

UNITED STATES GYPSUM COMPANY



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